

**IN THE UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF PENNSYLVANIA**

NANCY DREW SUDERS	)	CIVIL ACTION LAW
	)	
Plaintiff	)	
	)	
vs.	)	NO. 1:CV-00-1655
	)	
ERIC EASTON, WILLIAM D.	)	
BAKER, ERIC B. PRENDERGAST)	)	Judge Rambo
VIRGINIA SMITH ELLIOTT,	)	
AND THE PENNSYLVANIA	)	
STATE POLICE,	)	JURY TRIAL DEMANDED
	)	
Defendants	)	

**PLAINTIFF'S CONCURRED IN MOTION FOR ENLARGEMENT OF TIME NUC PRO TUNC**

1.) On or about January 31, 2005 plaintiff's Brief in Opposition to Defendants Motion in Limine were due.

2.) Plaintiff's counsel's staff erroneously thought the response was due on or before February 4, 2005 due to the wording in the Courts previous order, and inadvertently scheduled the response as due on February 4, 2005. The Court meanwhile ruled on the defendants request.

3.) Additionally Mr. Samuel C. Stretton Esquire was going to respond to defendants' motion in limine and became extremely ill missing work for the first time in 15 years and was not able to complete the response.

4.) Plaintiff's lead counsel, Don Bailey, is not available today due to scheduling problems and is out of the office all day, and would not be able to complete the response, and is requesting an enlargement of time until February 11, 2005 to respond to defendants' motion in limine.

4.) The enlargement of time is brief in duration and will not affect the trial schedule in this matter.

5.) Opposing Counsel Sarah Yerger Esquire graciously concurs in this request.

**WHEREFORE** the Court is respectfully requested to grant plaintiff's enlargement of time until February 11, 2005 (a Saturday) to file her Brief in Opposition to Defendants Motion in Limine already decided by the Court.

Respectfully Submitted,

By: s/Don Bailey  
4311 N. 6<sup>th</sup> Street  
Harrisburg, Pa 17110  
(717) 221-9500

**CERTIFICATE OF CONCURRENCE**

I, Don Bailey do hereby certify that I contacted opposing counsel Sarah Yerger and she concurs in plaintiffs request for an enlargement of time.

Respectfully Submitted,

By: s/Don Bailey  
4311 N. 6<sup>th</sup> Street  
Harrisburg, Pa 17110  
(717) 221-9500

**CERTIFICATE OF SERVICE**

I, Don Bailey do hereby certify that on this 9<sup>th</sup> day of February 2005

I served a true and correct copy of the following Document to the attorneys

listed below by Electronic Means:

Sarah Yerger, Esquire  
Senior Deputy Attorney General  
Civil Litigation Section  
15<sup>th</sup> Floor, Strawberry Square  
Harrisburg, Pa 17108

Samuel C. Stretton, Esquire  
601 South High Street  
West Chester, PA 19381

RESPECTFULLY SUBMITTED,

**BAILEY & OSTROWSKI**

By: s/Don Bailey, Esquire  
4311 N. 6<sup>th</sup> Street  
Harrisburg, PA 17110  
(717) 221-9500